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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/564,891

Applicant(s)

MUCHADA, TINASHE BENJAMIN

Examiner

ECE HUR

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to Response/Arguments filed on November 21, 2007.

Status of Claims

Claims 1-20 are pending in this case. Claim13 is added, Claims 1-5 are amended, and dependent claims 6-20 are added. Claim 13 is the independent Claim and Claim 1 is rewritten in dependent form.

Claims 1-20 are rejected under 35 U.S.C. 103(a).

Response to Arguments

Applicant's arguments filed on November 21, 2007 have been fully considered but they are not persuasive. See rejection details for Claims 1-20.

Applicant argued:

1) Applicant amended the Claim 1 and Claim 1 rejection under 35 U.S.C. 112, first paragraph based on single means is withdrawn.

2) Applicant amended Claims 2 and 4 and the rejection under 35 U.S.C. 112, second paragraph is withdrawn.

3) Applicant amended the Claims 1-5 and the rejection under 35 U.S.C. 101 is withdrawn.

4) Applicant is claiming user interface however the claim language recites mechanically mounted in the space and mechanically protruding. Card's user interface illustrates the mechanically mounted in the space and mechanically protruding.

Applicant argued that the Card's user interface does not display actual books or shelf, however applicant is claiming a user interface, wherein a user interface cannot display the actual books or shelf it displays only the images as their representation.

Card discloses a graphical representation of items and shelf, which simulates real library environment.

Applicant's added independent Claim 13 is claiming user interface system, the display system is part of the user interface.

5) Applicant further provided remarks about the amended and new Claims. See rejection details for Claims 1-20. Claims contain new matter, applicant did not specify in the remarks in which sections of the specification the new claims are supported. Examiner suggests the applicant to specify where the new claims could be found in the specification.

Specification Objection

The amendment filed November 21, 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: " items

mechanically mounted in the space, each of the plurality of items being capable of mechanically protruding out of the cabinet.” Furthermore, claim 12 recites “display the order in which users should provide their card” is not supported in the specification. Additionally, Claim 16 recites “two adjacent cabinets of the plurality of cabinets are spaced to allow a user to walk there between”, is not supported in the specification. Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Claims 1-20 contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite “items mechanically mounted in the space, each of the plurality of items being capable of mechanically protruding out of the cabinet”. Specification only supports books protruding out of the cabinet on the graphical user interface. Furthermore, claim 12 recites “display the order in which users should provide their card” is not supported in the specification. Additionally, Claim 16 recites “two adjacent cabinets of the plurality of cabinets are spaced to allow a user to walk there between”, is not supported in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claim 1-2, 4, 6-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Card et al. (US Pub. No.: 2002/0083101 A1) in view of Bridges et al., US Patent 4,141,078.

Regarding Claim 1, most of the limitations have been met in the rejection of Claim 13 See the rejection of Claim 13 for details. Card discloses the claimed aspect of a system the user interface system as claimed in claim 13, the display system comprising: cabinet that has a space for mounting one or more of the plurality of items therein(FIG. 1, 20(cabinet), 30, 35(shelf), Page 1, Paragraphs 0011, 0012), wherein the one or more of the plurality of items are mounted in the space within the

cabinet(FIG.1, items are mounted within the cabinet), each of the one or more of the plurality of items being connected to the Computer and being capable of protruding out of the cabinet, wherein if the user "touches" one of documents in bookcase 20, it will automatically "fly" to the focus space and simultaneously, any document object then in the focus space will fly to a position in the immediate space. (Card, Page 1, Paragraph 0013, lines 1-4), wherein the one or more of the plurality of items includes a first item, the first item comprising: an information screen of the first item that is capable of displaying information regarding the first item (FIG. 1, 5); and request means of the first item, wherein when the request means is activated, the computer causes the first item to protrude out of the cabinet (FIG. 1, Page 1, Paragraph 0013).

Card discloses a graphical representation of mechanically protruding of items out of the cabinet, however it would be obvious to one of ordinary skill in the art at the time of the invention actual mechanically protruding of items out the cabinet, because this would allow the user in the library with limited motion to obtain items at a higher shelf and efficient use of space.

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13 for details. Card discloses the claimed aspect of the user interface system, wherein the display system includes a sensor to detect approach of users the computer causes the information screen to display the information regarding the first item when the sensor detects that a user is nearby before the user interacts with the user interface system(Card, Page 1, Paragraph

0013), and the computer causes the information screen not to display the information regarding the first item(FIG. 1, 5), or to display other information that is not related to the first item, when the sensor does not detect a user nearby.

Regarding Claim 4, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Card discloses the claimed aspect of the first item is an electronic book, and the information regarding the first item is a title of the electronic book. (Card, FIG. 1, 5, illustrates title of the book).

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Card discloses the claimed aspect of the request means is activated, the computer further causes the first item to turn side ways after the first item mechanically protrudes out of the cabinet(FIG. 1, Page 11, Paragraph 0013), and the first item further includes another information screen of the first item that displays additional information regarding the first item(FIG. 1, 5), the other information screen being hidden from view when the first item is mounted in the cabinet(FIG. 1, 30, 35, hidden information), and being visible only after the first item protrudes from the cabinet(FIG. 1, 5).

Card discloses a graphical representation of mechanically protruding of items out of the cabinet, however it would be obvious to one of ordinary skill in the art at the time of the invention actual mechanically protruding of items out the cabinet,

because this would allow the user in the library with limited motion to obtain items at a higher shelf.

Regarding Claim 7, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13 for details. Card discloses the claimed aspect of the display system comprising: a cabinet that has a space for mounting one or more of the plurality of items therein(Card, FIG.1, 20, 30, 35), wherein the one or more of the plurality of items are mounted in the space within the cabinet, each of the one or more of the plurality of items being connected to the computer, wherein the one or more of the plurality of items includes a first item, the first item comprising: an information screen of the first item that is capable of displaying information regarding the first item; and replication means of the first item, wherein, when the replication means is activated(Card, Page 11, Paragraph 0013), the computer, while enabling display of the displayed information on the information screen of the first item regarding the first item, replicates this information regarding the first item on a screen of another item located adjacent to the first item(Card, FIG. 1, 5).

Card discloses a graphical representation of mechanically protruding of items out of the cabinet, however it would be obvious to one of ordinary skill in the art at the time of the invention actual mechanically protruding of items out the cabinet, because this would allow the user in the library with limited motion to obtain items at a higher shelf.

Regarding Claim 8, most of the limitations have been met in the rejection of Claim 6. See the rejection of Claim 6 for details. Card discloses the claimed aspect of The user interface system the first item is an electronic book; the information screen of the first item is a side face of the electronic book(FIG. 1, side face), and the information regarding the first item includes a title of the electronic book(FIG. 1, title illustrated); and the other information screen of the first item is a front face of the electronic book(FIG. 1, FIG. 4B-4E, two information screen), and the additional information regarding the first item includes a cover page of the electronic book (FIG. 1, 5).

Regarding Claim 9, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Card discloses the claimed aspect of the first item further comprising: selection means of the first item, wherein when the selection means of the first item is activated, the computer places an order for the first item, wherein when the user "touches" one of documents in bookcase 20, it will automatically "fly" to the focus space and simultaneously, any document object then in the focus space will fly to a position in the immediate space. (Card, Page 1, Paragraph 0013, lines 1-4).

Regarding Claim 10, most of the limitations have been met in the rejection of Claim 9. See the rejection of Claim 9 for details. Card does not teach the claimed aspect of user identification. However, Bridges discloses the claimed aspect of the identification information of the user is stored in a user card (Bridges, Card reader 32,), the user identifying device is a card slot that is capable of receiving the user card (Card reader 32, Column 4, lines 61-66), and when both the selection means of the first item is activated to order the first item and the user card is inserted in the card slot, the computer associates the first item with the inserted user card. (Bridges, Column 4, 67, user identification and book identification is associated, Abstract).

It would be obvious to one of ordinary skill in the art at the time of the invention to add Card's book selection with Bridges user identification card system, because this would allow confirming authorization.

Regarding Claim 11, most of the limitations have been met in the rejection of Claims 1 and 10. See the rejection of Claims 1 and 10 for details. Card does not disclose the claimed aspect of second item, however it would be obvious to one of ordinary skill in the art at the time of the invention to request the second item, this would allow the users the view more than one items at the same time.

Regarding Claim 12, most of the limitations have been met in the rejection of Claim 11. See the rejection of Claim 11 for details. Card does not teach the claimed

aspect of inserted user card. However, Bridges discloses the claimed aspect of the identification information of the user is stored in a user card (Bridges, Card reader 32), the user identifying device is a card slot that is capable of receiving the user card (Card reader 32, Column 4, lines 61-66), and when both the selection means of the first item is activated to order the first item and the user card is inserted in the card slot, the computer associates the first item with the inserted user card. (Bridges, Column 4, 67, user identification and book identification is associated, Abstract).

It would be obvious to one of ordinary skill in the art at the time of the invention to add Card's book selection with Bridges user identification card system, because this would allow confirming authorization. Applicant should duly note that it would be obvious to one of ordinary skill in the art at the time of the invention to queue the request if there are multiple requests because this would allow more efficient library environment. "further comprising a user card slot display unit that displays information of a selected item in associating with an inserted user card, wherein: when the computer receives multiple orders at about the same time, the computer causes the user card slot display unit to display the order in which users should provide their user cards to the card slot, and associates each order with a respective user card".

Regarding Claim 13, A user interface system that uses physically arranged computer visualization components to mimic a traditional library or traditional retail store(Card, FIG. 1), the user interface system comprising: a display system that

displays a plurality of items for a user to select by interacting with the user interface system(FIG. 1, 20, 30, 35);

Card discloses a selection means, wherein a selection is activated by when the user "touches" one of documents in bookcase 20, it will automatically "fly" to the focus space and simultaneously, any document object then in the focus space will fly to a position in the immediate space. (Card, Page 1, Paragraph 0013, lines 1-4). Applicant should duly note that this is similar to providing a plurality of selectors, each corresponding to one of the plurality of items.

Card does not teach the claimed aspect of a user identifying device that reads identification information of a user; and a computer that is provided with software for various applications, wherein, when one of the plurality of selectors is activated by a user, and when the identification information of the user is read by the user identifying device, the computer associates the item that corresponds to the activated selector with the identification information of the user. However, Bridges discloses the claimed aspect of a user identifying device that reads identification information of a user(Bridges, Card Reader 32); and a computer that is provided with software for various applications(Card Reader 32, Column 4, lines 61-66), and when the identification information of the user is read by the user identifying device, the computer associates the item that corresponds to the activated selector with the identification information of the user (Bridges, Column 4, 67, user identification and book identification is associated, Abstract).

It would be obvious to one of ordinary skill in the art at the time of the invention to add Card's book selection with Bridges user identification card system, because this would allow confirming authorization for a specific user.

Regarding Claim 14, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13 for details. Bridges discloses the claimed aspect of the identification information of the user is stored in a user card(Bridges, Card Reader 32), and the user identifying device reads the identification information by scanning the user card(Bridges, Card read 32, FIG. 7, Abstract).

Regarding Claim 15, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13 for details. Card discloses the claimed aspect of the display system includes a plurality of display screens(FIG. 1, 5, FIG. 2), each screen displaying one of the plurality of items, wherein each screen displays plurality of items(sections) for the selected item. Card does not teach the claimed aspect of each screen displaying different items, however it would be obvious to one of ordinary skill in the art at the time of the invention to display multiple screens for each item, because this would provide the user to view more than one book at the same time.

Regarding Claim 16, most of the limitations have been met in the rejection of Claim 15. See the rejection of Claim 15 for details. Card discloses the claimed aspect of the display system includes graphical representation of a cabinet, and display screen. (FIG. 1, 20, 5). However Card does not teach the claimed aspect of plurality of cabinets, wherein two adjacent cabinets of the plurality of cabinets are spaced to allow a user to walk there between.

It would be obvious to one of ordinary skill in the art at the time of the invention to have more than one cabinet allowing the patrons to walk in between them, because this would the user to access the items more efficiently.

Regarding Claim 17, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13 for details. Card discloses the claimed aspect of wherein the plurality of items includes a first item(Card, FIG. 1, 5), the first item comprising: an information screen of the first item that is capable of displaying information regarding the first item(FIG. 1, 5, displays related information); and selection means of the first item(Card, Page 1, Paragraph 0013, lines 1-4), wherein when the selection means of the first item is activated(FIG. 1, 5). This is similar to the computer to place an order for the first item.

Regarding Claim 18, most of the limitations have been met in the rejection of Claim 17. See the rejection of Claim 17 for details. The rejection for Claim 10 applies to Claim 17. See rejection details for Claim 10.

Regarding Claim 19, most of the limitations have been met in the rejection of Claim 18. See the rejection of Claim 18 for details. The rejection for Claim 11 applies to Claim 19. See rejection details for Claim 11.

Regarding Claim 20, most of the limitations have been met in the rejection of Claim 19. See the rejection of Claim 19 for details. The rejection for Claim 12 applies to Claim 20. See rejection details for Claim 12.

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Card et al. (US Pub. No.: 2002/0083101 A1) in view of Bridges et al, US 4, 141,078 and in further view of Santamake et al. US Patent 6,886,036.

Regarding Claims 3 and 5, most of the limitations have been met in the rejection of Claims 1 and 13. See the rejection of Claims 1 and 13 for details. Card and Bridges do not teach the claimed aspect of earphone sockets for audio application or wireless audio means for audio applications, however Santamake discloses that on the e-book terminal 50, wherein an audio output means may be the incorporation such as one or more speakers and/or an earphone jack or external speaker jack, audio/sound processing circuits and software to support the sound capabilities of multimedia

products, to support text-to-speech (TTS) synthesis to create spoken output based on stored electronic document. (Santamake, Column 11, lines 34-44).

It would be obvious to an ordinary skill in the art the time of the invention to modify Card's library system and Bridges's user identification concept with Santamake's invention because it will enable users to listen to audio books.

Card does teach specifically the claimed aspect of the cabinet includes a title screen that displays a generic name for the one or more of the plurality of items mounted in the cabinet, however it would be obvious to one of ordinary skill in the art at the time of the invention to the title of the item displayed while they are in the cabinet, because this would provide the user a general view.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Chombo, US 6,313,828, 11/06/2001, "Electronic book ".
- 2) Huffman, et al., US 5,697,793, 11/16/1997, "Electronic book and method of displaying at least one reading metric therefor".
- 3) Sachs, et al., US 6,331,865, 12/18/2001, "Method and apparatus for electronically distributing and viewing digital contents".

- 4) Ishibashi, Atsushi, et al., US 20010007980 A1, 07/12/2001, "Electronic book system and its contents display method".
- 5) Igarashi et al., US 6,595,418, 07/22/2003, "Enhanced Article Management System".
- 6) Sachs, et al., US 6,331,865, 12/18/2001, "Method and apparatus for electronically distributing and viewing digital contents".

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on MONDAY-THURSDAY 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WEILUN LO can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 24, 2008

Ece Hur
E.H. /e.h.

/Ba Huynh/

Primary Examiner, Art Unit 2179

